

IN THE FRANKLIN COUNTY MUNICIPAL COURT
ENVIRONMENTAL DIVISION
COLUMBUS, OHIO

CITY OF COLUMBUS, OHIO

% Zach Klein
Columbus City Attorney, Zone Initiative
375 South High Street, 17th Floor
Columbus, Ohio 43215,

Plaintiff,

v.

SHIHAB KHAN, INC.

Attn: Faruque Khan, Statutory Agent
4875 Sinclair Road
Columbus, Ohio 43229

and

FIRST WESTERN SBLC, INC.

17950 Preston Road, Ste. 600
Dallas, Texas 75252

and

STATE OF OHIO

DEPARTMENT OF TAXATION

150 E. Gay Street, 21st Floor
Columbus, Ohio 43215

and

REAL PROPERTY LOCATED AT:

4875 Sinclair Road
Columbus, Ohio 43229

Defendants.

Case No.

JUDGE DANIEL HAWKINS

VERIFIED COMPLAINT

FOR INJUNCTIVE RELIEF

Parcel No. 010-193736-00

1. This complaint concerns enforcement of Ohio Revised Code (hereinafter "R.C.")
Chapter 3767 *et seq.*, Title 47 (including Building or Housing Codes as applicable) of the

Columbus City Code so as to be within the exclusive jurisdiction of the Environmental Division of the Franklin County Municipal Court pursuant to R.C. § 1901.181.

2. Plaintiff has standing pursuant to R.C. § 715.30 to bring an action seeking an injunction to prevent violations of its housing ordinances of the City of Columbus, Ohio.

3. The Court has personal jurisdiction over the individual Defendant pursuant to R.C. §2307.382(A)(8) since the basis of this complaint is real property situated in Franklin County, Ohio.

4. The Court is a proper venue pursuant to Civ.R. 3(B)(5), since the subject of the action is real property situated in Franklin County, Ohio.

PARTIES

5. Plaintiff, Columbus, Ohio, is a municipal corporation organized under the Constitution and laws of the State of Ohio as well as the Charter, ordinances, and codes of the City of Columbus, Ohio. Zach Klein is the duly elected City Attorney for the City of Columbus, Ohio and brings this action in his official capacity.

6. Shihab Khan, Inc. is the owner, occupant, and/or interested party of the Premises by virtue of a General Warranty Deed recorded with the Franklin County Recorder's Office, Instrument Number 201607010084908, and is an individual/entity in charge, care and control of the Premises. *(See attached Plaintiff's Exhibit A).*

7. First Western SBLC, Inc. holds a mortgage interest in the property, as filed with the Franklin County Recorder's Office, Instrument Numbers 201607010084909 and 201607010084910, which could be adversely affected by this action.

8. State of Ohio, Department of Taxation holds a lien interest in the property by virtue of certificates of judgment, Judgment Numbers 18JG012896 and 18JG013679, which could be adversely affected by this action.

9. City of Columbus Division of Income Tax may have an interest in the property by virtue of a certificate of judgment, Judgment Number 17JG027700, as filed in the Franklin County Clerk of Court's Office.

10. The real property that is the subject matter of this complaint is located at 4875 Sinclair Road, Columbus, Ohio 43229 known as Franklin County Permanent Parcel No. 010-193736-00, (hereinafter "the Premises"), situated in the City of Columbus, Franklin County, Ohio on which is constructed a motel. (*See attached Plaintiff's Exhibit A.*) This action is also *in rem* with respect to the Premises.

FACTS

11. Shihab Khan, Inc. has been the property owner of record of the Premises since July 1, 2016.

12. An initial inspection of the premises located at 4875 Sinclair Road, Columbus, Ohio 43229 was conducted by the Columbus Department of Building and Zoning Services on or about March 1, 2017.

13. This inspection revealed that a new exterior branch circuit and lighting were installed without plan approval and permits.

14. As a result of the inspection, Building Order #VIOL1700036 was issued to the owner detailing violations of the Columbus Building Code, § 4103.03. (*See attached Plaintiff's Exhibit B.*)

15. Building Order #VIOL1700036 stated that the violations needed to be corrected within 30 days of service of the orders, unless an extension was granted.

16. A subsequent inspection of the same premises was conducted on or about June 5, 2017.

17. The subsequent inspection revealed the following conditions which rendered the 2nd floor on the west side of the commercial motel building unsafe: deterioration and fatigue of the balconies guardrail. Steel cables had been installed on the entire west side of the building to secure the guardrail. The installation of the cables had compromised the path of egress causing the 2nd floor west side to be unsafe. Due to the extent of the damage and lack of adequate egress, the 2nd floor on the west side of the building was declared unsafe and dangerous to human life.

18. As a result of the subsequent inspection, Building Order #UNSF1700180 was issued to the owner detailing violations of the Columbus Building Code, § 4103.03. (*See attached Plaintiff's Exhibit C.*)

19. Building Order #UNSF1700180 stated that the violations needed to be corrected within 30 days of service of the orders, unless an extension was granted.

20. On or about March 19, 2018, Building Inspector, Todd Marcum re-inspected the Premises and found that the property remained in violation of the Columbus City Nuisance Abatement Codes, Title 41 as stated in Todd Marcum's attached affidavit. (*See attached Plaintiff's Exhibit D.*)

21. Plaintiff asserts that these orders were not appealed or complied.

CLAIM FOR RELIEF

22. Plaintiff incorporates the preceding paragraphs 1 through 21 as if fully incorporated herein.

23. By reason of the foregoing, the Premises, in its non-compliant state, does not comply with the provisions of the Columbus Nuisance Abatement Code-Title 47 or with the provisions of the Columbus and Ohio Building Codes.

24. By reason of the foregoing, the Premises, in its non-compliant state, constitutes a public nuisance as defined in R.C. § 3767.41(A)(2)(a) and Columbus City Code § 4703.01(F)(1), § 4501.275 and § 4101.16.

25. Defendant(s) have a duty to abate the nuisance at 4875 Sinclair Road, Columbus, Ohio 43229 by bringing the property into compliance with the Columbus and Ohio Building Codes and the Columbus Housing and Nuisance Abatement Codes.

JUDGMENT AND RELIEF DEMANDED

WHEREFORE, Plaintiff demands judgment as follows:

Code Violations

1. A determination that the Premises violates C.C.C. Title 47 and/or O.R.C. § 3767.41.
2. An order requiring the defendant(s) and any successor(s) in interest or title to bring the Premises into compliance with any and all applicable provisions of the Columbus City Code and/or Ohio Revised Code.
3. An order preliminarily and permanently enjoining the defendant(s) and any successor(s) in interest or title from further violating any and all applicable provisions of the Columbus City Code and/or Ohio Revised Code at the Premises.

Public Nuisance

4. A determination that the Premises constitutes and be declared a public nuisance as defined by C.C.C. §§ 4101.16, 4501.275, 4703.01(F) and/or O.R.C. § 3767.41(A)(2).
5. An order preliminarily and permanently enjoining the defendant(s) and any successor(s) in interest or title from maintaining a public nuisance at the Premises.
6. An order preliminarily and permanently enjoining the defendant(s) from maintaining a public nuisance within the territorial limits of Franklin County, Ohio.

Plaintiff to Abate

7. Authorize Plaintiff, Plaintiff's agent pursuant to O.R.C. § 715.261(E), and/or Plaintiff's private contractor to enter onto the Premises and perform abatement activity pursuant to C.C.C. §§ 4109.06, 4509.06, 4701.08, R.C. §§ 715.26 and/or 715.261, including, but not limited to, demolishing any and all structures located on the Premises.
8. Authorize Plaintiff, and/or its agent pursuant to O.R.C. §715.261(E), to recover the total cost of abatement activity pursuant to C.C.C. §§ 4109.06, 4509.06, 4701.08, and/or R.C. §§ 715.261(B) including, but not limited to: (1) certifying the costs to the county auditor for placement as a charge upon the Premises' tax list, (2) commencing a civil action, and (3) filing a lien on the Premises and pursuing a foreclosure action for a minimum bid equal to the sum of the taxes, penalties, interest, costs, assessments, total cost of abatement activity and any associated court costs and interest.

Receivership

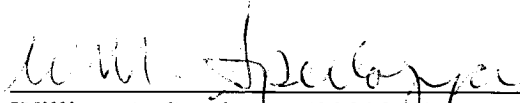
9. Appoint a receiver, pursuant to O.R.C. §§ 1901.131, 2735.01 and/or 3767.41(C)(3).
10. Authorize said receiver to do any and all acts as the Court deems necessary pursuant to O.R.C. §§ 2735.04 and/or 3767.41 including, but not limited to: (1) repairing or renovating any and all structures on the Premises, (2) demolishing any and all structures on the Premises, and (3) selling the Premises free and clear of any and all liens.
11. Tax as court costs, or otherwise treat as an administrative expense of this matter, pursuant to O.R.C. §§ 2735.04 and/or 3767.41, any funds that are expended by or on behalf of the receiver.
12. Declare, through an enforceable order, that any and all courts costs and administrative expenses of this matter shall have priority over any and all preexisting liens upon the Premises.

Additional Relief

13. An award of Plaintiff's costs and attorney's fees payable by defendant(s).
14. All such further equitable and other relief as the Court determines Plaintiff to be entitled.

Respectfully submitted,

**CITY OF COLUMBUS, DEPARTMENT OF LAW
ZACH KLEIN, CITY ATTORNEY**



William A. Sperlazza (0081862)

Assistant City Attorney/Zone 1

375 S. High Street, 7th Floor

Columbus, Ohio 43215-4530

Phone: 614-645-7479

Fax: 614-645-8902

wasperlazza@columbus.gov

Attorney for Plaintiff City of Columbus



Instrument Number: 201607010084908
Recorded Date: 07/01/2016 9:33:50 AM



Terry J. Brown
Franklin County Recorder
373 South High Street, 18th Floor
Columbus, OH 43215
(614) 525-3930
<http://Recorder.FranklinCountyOhio.gov>
Recorder@FranklinCountyOhio.gov

FranklinCountyRecorderTerryBrown @RecorderBrown

Transaction Number: T20160040487
Document Type: DEED
Document Page Count: 4

Submitted By (Walk-In):
TALON TITLE AGENCY LLC

Walk-In

Return To (Box):
TALON TITLE AGENCY LLC

Box

First Grantor:
AMLON LTD

First Grantee:
SHIHAB KHAN INC

Fees:	
Document Recording Fee:	\$28.00
Additional Pages Fee:	\$16.00
Total Fees:	\$44.00
Amount Paid:	\$44.00
Amount Due:	\$0.00

Instrument Number: 201607010084908
Recorded Date: 07/01/2016 9:33:50 AM

OFFICIAL RECORDING COVER PAGE

DO NOT DETACH

THIS PAGE IS NOW PART OF THIS RECORDED DOCUMENT

NOTE: If the document data differs from this cover sheet, the document data always supersedes the cover page.
COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT FOR ANY ADDITIONAL INFORMATION.



TRANSFERRED

JUL - 1 2016

CLARENCE E. MINGO II
AUDITOR
FRANKLIN COUNTY, OHIO

12986	
Conveyance	
Mandatory-	925.00
Permissive-	925.00
CLARENCE E. MINGO II <i>EC</i> FRANKLIN COUNTY AUDITOR	

①

Order Number: 204130-TTA

Talon Title - C

GENERAL WARRANTY DEED

Amlon, Ltd., an Ohio limited liability company, for valuable consideration paid, grants,
with general warranty covenants to

Shihab Khan, Inc., an Ohio corporation

whose tax mailing address is 4875 SINCLAIR ROAD, COLUMBUS, OH 43229

the following real property:

"See Exhibit "A" attached hereto and made a part hereof...."

Parcel Number: 010-193736-00

Property Address: 4875 Sinclair Road, Columbus, Ohio 43229

Except for the following and subject to all of which this conveyance is made: legal
highways; zoning ordinances; real estate taxes and assessments which are now or may
hereafter become a lien on said premises; covenants, conditions, restrictions and easements
of record; and all coal, oil, gas, and other mineral rights and interests previously transferred
or reserved of record.

Prior Instrument Reference: Instrument No. 200401300021531, Recorder's Office,
Franklin County, Ohio

EXHIBIT 'A'

204130-TTA

LEGAL DESCRIPTION

Situated in the State of Ohio, County of Franklin, City of Columbus, being parts of Farm Lots 86, 87 and 88 of Scioto Company's Purchase in Quarter Township 3, Township 2, Range 18, United States Military Lands, containing 2.777 acres of land, more or less, said 2.777 acres being out of that 4.005 acre tract of land as described in a deed to Donald R. Kenney, Trustee, of record in Official Record 02325D10, Recorder's Office, Franklin County, Ohio, said 2.777 acres being more particularly described as follows:

Beginning for reference at a point in the centerline of Sinclair Road (formerly Indianola Avenue), the same being in the easterly line of that tract of land designated as PARCEL NUMBER 2 and described in a deed to Sinclair Refining Company, of record in Deed Book 1252, Page 131, Recorder's Office, Franklin County, Ohio and at the southeasterly corner of that tract of land described in a deed to the City of Columbus, of record in Official Record 01154H01, Recorder's Office, Franklin County, Ohio, said reference point of beginning being located N. 3 deg. 00' 50" E., a distance of 640.64 feet, as measured along the centerline of said Sinclair Road, from the southeasterly corner of said PARCEL NUMBER 2, said southeasterly corner of said PARCEL NUMBER 2 being located 25.00 feet northerly from, as measured at right angles, the centerline of Morse Road (formerly Rathbone Road);

Thence from said reference point of beginning, N. 86 deg. 59' 10" W., with the southerly line of said City of Columbus tract, passing the northeasterly corner of that 2.017 acre tract of land described in the deed to Red Roof I Co. of record in Deed Book 3748, Page 467, Recorder's Office, Franklin County, Ohio, at a distance of 38.96 feet, a total distance of 40.00 feet to a 3/4 inch (I.D.) iron pipe found at the southeasterly corner of said 4.005 acre tract; thence N. 3 deg. 00' 50" E., with the easterly line of said 4.005 acre tract, the westerly right-of-way line of said City of Columbus tract a distance of 235.97 feet to a 3/4 inch (I.D.) iron pipe set at the true point of beginning;

Thence from said true point of beginning, N. 86 deg. 59' 10" W., crossing said 4.005 acre tract, a distance of 239.52 feet to a 3/4 inch (I.D.) iron pipe set in the westerly line of said 4.005 acre tract, the same being the westerly line of said PARCEL NUMBER 2 and the easterly right-of-way line of Conrail;

Thence N. 3 deg. 10' 15" W., with the westerly line of said 4.005 acre tract, the westerly line of said PARCEL NUMBER 2 and the easterly line of said Conrail a distance of 460.35 feet to a 3/4 inch (I.D.) Iron pipe found at the northwesterly corner of said 4.005 acre tract;

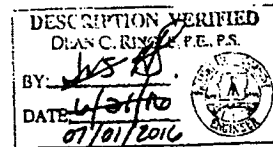
Thence S. 86 deg. 59' 10" E., with the northerly line of said 4.005 acre tract a distance of 289.12 feet to a 3/4 inch (I.D.) iron pipe found at the northeasterly corner of said 4.005 acre tract, said iron pipe also being in the westerly right-of-way line of said Sinclair Road and the westerly line of said City of Columbus tract;

Thence S. 3 deg. 00' 50" W., with the easterly line of said 4.005 acre tract, the westerly right-of-way line of said Sinclair Road and the westerly line of said City of Columbus tract, a distance of 457.67 feet to the true point of beginning and containing 2.777 acres of land, more or less.

The bearings given in the above description are based on the centerline bearing of N. 3 deg. 00' 50" E. for Sinclair Road between Station 0+00 and Station 20+94.94 as said bearing is shown on the State of Ohio Department of Highways Plan for Improvement of I-71 (FRA.1-25.33).

For informational Purposes only:
Property Address: 4875 Sinclair Road Columbus, Ohio 43229
Parcel No.:010-193736-00

0-99-G
am of
(010)
193736



Witness its hand this 29 day of June, 2016.

Amlon, Ltd., an Ohio limited liability company

BY: K. Desai
Kundan Desai
Its: Member

BY: H. Pandya
Hitesh Pandya
Its: Member

State of Ohio
County of Delaware ss:

Be It Remembered, that on this 29 day of June, 2016, before me, the subscriber, a Notary Public in and for said State, personally appeared the above named Amlon, Ltd., an Ohio limited liability company, by Kundan Desai, its Member and Hitesh Pandya, its Member, the grantors in the foregoing deed and acknowledged the signing thereof to be their voluntary act and deed, and the voluntary act and deed of said company.

In Testimony Thereof, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



Joseph J. Barone
Notary Public
JOSEPH J. BARONE
NOTARY PUBLIC, STATE OF OHIO
My commission has no expiration date.
Section 147.03 R.C.

This instrument prepared by Magnuson & Barone Attorneys at Law
570 Polaris Parkway, Suite 140, Westerville, OH 43082



City of Columbus
Mayor Andrew J. Ginther

Department of Building & Zoning Services
757 Carolyn Avenue | Columbus, Ohio 43224-3218
Scott Messer, Director

BUILDING ORDER

NOTICE OF VIOLATION AND ORDER TO CORRECT

March 15, 2017

Shihab Khan Inc
c/o Faruque Khan, agent
4875 Sinclair Road
Columbus, OH 43229

Reference Number: VIOL1700036

RE: 4875 Sinclair Road, Columbus, OH 43229
Parcel Number: 010-193736

An inspection of your property at the above referenced address conducted on March 1, 2017, shows the following violation(s) of the Columbus Building Code and Ohio Building Code:

WORKING WITHOUT PERMIT

The commercial motel building on the property has been altered. A new exterior branch circuit and lighting was installed. No plan approval or permits have been obtained for any of the work. This is in violation of the Columbus Building Code, Chapter 4113 and the Ohio Building Code §105, adopted by reference in §4103.03 of the Columbus Building Code. An electric permit and appropriate plans approval must be obtained prior to beginning this type of work. The City permit process is used to ensure appropriate plans review and inspection for this type of work as required by the Ohio Building Code §105, adopted by reference in §4103.03 of the Columbus Building Code. No inspections have been completed which is in violation of the Columbus Building Code, Chapter 4115 which requires inspection prior to concealment by any construction or materials and requires a final inspection prior to occupancy.

As the registered owner of the above listed property, you are responsible for compliance with applicable building codes regardless of any agreement that you may have with anyone else. (Columbus Building Code §4103.15)

You are hereby ordered to correct the violation within the next thirty (30) days by obtaining all the necessary permits for the work done or to obtain permits to demolish the work and return the property to its original condition.

In order to obtain approved permits, you must submit appropriate plans and pay all required fees, including fees assessed due to working without a permit, as set out in the City Fee Schedule adopted




by Ordinance in accordance with Columbus Building Code Chapter 4113. **In addition, all required inspections must be obtained and a final approval granted within the next (30) thirty days.**

According to the Columbus Building Code, it shall be unlawful for any person to erect, construct, alter, repair, move, remove, demolish, convert, equip, use or occupy or maintain any building or structure or any portion of any building or structure in the city, contrary to or in violation of any provision of the Columbus Building Code. (Columbus Building Code §4111.01)

Failure to comply with this order is a Misdemeanor of the First Degree and may be punishable by a fine up to \$1,000 or imprisonment up to one-hundred eighty (180) days or both for each day that violation or non-compliance continues. (Columbus Building Code §4111.99)

You have the right to appeal this notice. If you choose to appeal, this letter is to be used as an adjudication order pursuant to OBC Section 109. In order to appeal, you must file a request within thirty (30) days of the mailing of this notice to: The Ohio Board of Building Appeals, P.O. Box 4009, 6606 Tussing Road, Reynoldsburg, OH 43068-9009, Phone: (614)644-2616. Please notify our office of your appeals board request. At the hearing, you have the right to be represented by counsel or by the Ohio registered architect or engineer who prepared the plans, present arguments or contentions orally or in writing, and present evidence and examine witnesses appearing for or against you.

For further information in regards to this letter, please contact Tim Koller at (614)645-2382 or by e-mail at tskoller@columbus.gov.



Amit Ghosh
Chief Building Official



City of Columbus
Mayor Andrew J. Ginther

Department of Building & Zoning Services
757 Carolyn Avenue | Columbus, Ohio 43224-3218
Scott Messer, Director

BUILDING ORDER

NOTICE OF UNSAFE BUILDING

August 9, 2017

Reference Number: UNSF1700180

Shihab Khan Inc
c/o Faruque Khan, agent
4875 Sinclair Road
Columbus, OH 43229

RE: 4875 Sinclair Road, Columbus, OH 43229
Parcel Number: 010-193736

Based on an inspection of your property at the above referenced address conducted on June 5, 2017 you are hereby notified that the 2nd floor on the west side of the structure has been designated as **UNSAFE** pursuant to Chapter 4109 of the Columbus Building Code and §109.4 of the Ohio Building Code as adopted by reference in §4103.03 of the Columbus Building Code. The following violations and defects cause the 2nd floor on the west side of the structure to be unsafe:

The two-story commercial motel building on the property has multiple areas on the building's 2nd floor west side balcony indicating deterioration and fatigue of the balconies guardrail. Steel cables have been installed on the entire west side of the building to secure the guardrail. The installation of these cables has compromised the path of egress causing the 2nd floor west side to be unsafe. Due to the extent of the damage and lack of adequate egress, the 2nd floor on the west side of the building is unsafe is dangerous to human life.

As the registered owner of the above listed property, you are responsible for compliance with applicable building codes regardless of any agreement that you may have with anyone else. (Columbus Building Code §4103.15)

In accordance with Columbus Building Code §4109.02, due to the unsafe condition, the 2nd floor on the west side of the building is hereby ordered to be VACATED and NOT REOCCUPIED, or if already vacant, must REMAIN VACANT until compliance with this order is effected.



Furthermore, you are hereby ordered to commence work within the next thirty (30) days to restore the building to a safe condition and continue work, either to repair and abate the hazards OR to demolish and remove the building or structure, or portion thereof containing the unsafe condition(s), leaving the premises in a clean, safe, and sanitary condition, such condition being subject to the approval of the Chief Building Official.

All required permits must be applied for and obtained before any work or demolition is performed. If you plan to demolish the building or structure, you must first obtain a Demolition Permit. If you plan to repair and rehabilitate the building or structure, you must obtain a Building Permit as well as any other required related permits. In order to receive the approved permit(s), you must submit appropriate plans bearing identification and seal of a registered design professional in Ohio and pay all required fees as set out in the City Fee Schedule adopted by Ordinance in accordance with Columbus Building Code Chapter 4113.

A Removal Start Permit, good for 45 days, may be obtained prior to a Building Permit to commence clean up in preparation for renovation or repair.

According to the Columbus Building Code §4109.09, provided the building shows no signs of structural failure, you may obtain a Secure Permit to secure the building or structure and delay repairs, rehabilitation or demolition to a future date as approved. **Therefore, if you wish to delay repairs, you must obtain a Secure Permit immediately and the building shall be secured to prevent unauthorized entry.** Residential properties shall be secured in accordance with Columbus Code §4707.03 which, in part, mandates that all lower story windows, doors and other openings to be secured by covering as required to prevent entry of unauthorized persons.

A notice has been posted at each entrance of the building indicating that the building or portion thereof is unsafe to occupy and the notice shall remain posted until the required repairs are made or demolition is complete. It is unlawful for any person to remove such notice without permission of the Chief Building Official or for any person to enter the building, except for the purpose of making the required repairs or demolishing the building.

Be advised that in accordance with §111.4 of the Ohio Building Code, the above described alterations and resulting unsafe conditions have invalidated the original certificate of occupancy for the building. The certificate of occupancy may be restored only after compliance of this and any other building order and upon the approval of the Chief Building Official.

Failure to comply with this order is a Misdemeanor of the First Degree and may be punishable by a fine up to \$1,000 or imprisonment up to one-hundred eighty (180) days or both for each day that violation or non-compliance continues. (Columbus Building Code §4111.99)

You have the right to appeal this notice. If you choose to appeal, this letter is to be used as an adjudication order pursuant to OBC Section 109. In order to appeal, you must file a request within thirty (30) days of the mailing of this notice to: The Ohio Board of Building Appeals, P.O. Box 4009, 6606 Tussing Road, Reynoldsburg, OH 43068-9009, Phone: (614)644-2616. Please notify our office of your appeals board request. At the hearing, you have the right to be represented by counsel or by the Ohio registered architect or engineer who prepared the plans, present arguments or contentions orally or in writing, and present evidence and examine witnesses appearing for or against you.

For further information in regards to this order, please contact Tim Koller at (614)645-2382 or by e-mail at tskoller@columbus.gov.

A. Ghosh

Amit B. Ghosh
Chief Building Official

AFFIDAVIT

BUILDING COMPLIANCE

Now comes Todd Marcum who being first duly cautioned and sworn, affirming that I have personal knowledge of the facts contained in this affidavit, am competent to testify to the matters stated herein, and state the following:

- 1.) I am currently employed by the City of Columbus, Department of Building and Zoning Services, within the Building Compliance Section as a Building Inspector.
- 2.) An inspection of the property located at 4875 Sinclair Road, Columbus, OH 43229, Land Parcel #010-193736, revealed the following violation(s) of the Columbus Building Code and the Ohio Building Code: **A new exterior branch circuit and lighting was installed without plan approval and permits.**
- 3.) As a result of the condition of the property documented during the aforementioned inspection, Building Order #VIOL1700036 was issued on March 17, 2017 to the property owner of record and listed the working without permit violations according to Columbus City Code §4103.03. The Building Order required the owner to correct the violation by obtaining all required permits and inspections or to obtain permits to demolish the work and return the property to its original condition.
- 4.) A subsequent inspection of the aforementioned property located at 4875 Sinclair Road, Columbus, OH 43229, Land Parcel #010-193736, revealed the following conditions which render the building unsafe: **The two-story commercial motel building on the property has multiple areas on the building's 2nd floor west side balcony indicating deterioration and fatigue of the balconies guardrail. Steel cables have been installed on the entire west side of the building to secure the guardrail. The installation of these cables has compromised the path of egress causing the 2nd floor west side to be unsafe.**
- 5.) As a result of the condition of the property documented during the initial inspection, Building Order #UNSF1700180 was issued on August 9, 2017 to the property owner of record and listed the violations and defects that cause the building to be unsafe according to Columbus City Code §4109.01. The Building Order required the building to be vacated and the owner to abate the hazard through repair or demolition with all required permits and inspections.
- 6.) A review of the records kept by the Department of Building and Zoning Services shows that no permits have been obtained for renovations, therefore the above referenced Building Order has not been complied.
- 7.) In accordance with my duties as a Building Inspector, I last performed an inspection on the aforementioned property on March 19, 2018. As of the date of this inspection, the building remained unsafe and is a public nuisance pursuant to the Columbus City Code, Title 41.

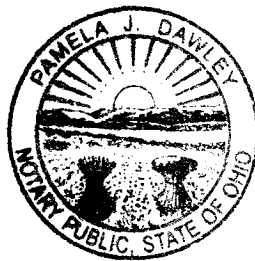


AFFIANT FURTHER SAYE **NAUGHT.**

Todd T. M.
Todd Marcum, Building Inspector

Sworn to and Subscribed in my presence this 27th day of March, 2018

By: Pamela J. Dawley, Notary Public



PAMELA J. DAWLEY
NOTARY PUBLIC
STATE OF OHIO

RECORDED IN
FRANKLIN COUNTY

My Commission Expires
April 28, 2019